

## **Part 20**

### **Security of Research Facilities**

#### **76-10-2001 Definitions.**

As used in this part:

- (1) "Building," in addition to its commonly-accepted meaning, means any watercraft, aircraft, trailer, sleeping car, or other structure or vehicle adapted for overnight accommodations of persons or for carrying on business and includes:
  - (a) each separately secured or occupied portion of the building or vehicle; and
  - (b) each structure appurtenant or connected to the building or vehicle.
- (2) "Enter" means:
  - (a) an intrusion of any part of the body; or
  - (b) the intrusion of any physical object, sound wave, light ray, electronic signal, or other means of intrusion under the control of the actor.
- (3) "Research" means studious and serious inquiry, examination, investigation, or experimentation aimed at the discovery, examination, or accumulation of facts, data, devices, theories, technologies, or applications done for any public, governmental, proprietary, or teaching purpose.
- (4) "Research facility" means any building, or separately secured yard, pad, pond, laboratory, pasture, pen, or corral which is not open to the public, the major use of which is to conduct research, to house research subjects, to store supplies, equipment, samples, specimens, records, data, prototypes, or other property used in or generated from research.

Enacted by Chapter 179, 1989 General Session

#### **76-10-2002 Burglary of a research facility -- Penalties.**

- (1) A person is guilty of burglary of a research facility if he enters or remains unlawfully in a research facility with the intent to:
  - (a) obtain unauthorized control over any property, sample, specimen, record, data, test result, or proprietary information in the facility;
  - (b) alter or eradicate any sample, specimen, record, data, test result, or proprietary information in the facility;
  - (c) damage, deface, or destroy any property in the facility;
  - (d) release from confinement or remove any animal or biological vector in the facility regardless of whether or not that animal or vector is dangerous;
  - (e) commit an assault on any person;
  - (f) commit any other felony; or
  - (g) interfere with the personnel or operations of a research facility through any conduct that does not constitute an assault.
- (2) A person who violates Subsection (1)(g) is guilty of a class A misdemeanor. A person who violates any other provision in this section is guilty of a felony of the second degree.

Enacted by Chapter 179, 1989 General Session